

## **NOTICE**

**Notice is hereby given that a public hearing will be held by the Middletown Zoning Board of Review at the Town Hall-on-Tuesday-February 27, 2007 at 7:00 P.M.**

**Petition Of: Robert C. & Laura Holder- 10 King Rd., Middletown, RI- for a Variance- from Sections 603, 701 & 803G- to construct a roof dormer with left and right side yard setbacks of 13'and 12' respectively where 15' is required. Said real estate located at 10 King Rd. and further identified as Lot 105 on Tax Assessor's Plat 107SW.**

**Petition Of: Karmik, LLC- 265 Prospect Ave, Middletown, RI (owner), by their attorney Robert M. Silva, Esq.- for a Variance- from Section 603- to allow the subdivision of Lot 46 into 6 lots, with proposed Parcel 1 having frontage of 78.15', proposed Parcel 2 having frontage of 20.45', and proposed Parcel 3 having frontage of 20' where 150' is required, pursuant to plans filed herewith. Said real estate located at 265 Prospect Ave. and further identified as Lot 46 on Tax Assessor's Plat 120.**

**Petition Of: Benjamin G. & Pamela J. Heroux- 600 Green End Ave., Middletown, RI- for a Variance- from Sections 603, 701 & 803G- to enclose the existing deck with right side yard set back of 25' where 30' is required. Said real estate located at 600 Green End Ave. and further identified as Lot 11 on Tax Assessor's Plat 120.**

**Petition Of: Estate of F.M. Sullivan- 438 East Main Rd., Middletown, RI (owner)- Stephen J. Kauffman (applicant)- for a Special Use Permit- from Section 602- to allow a therapeutic massage and body work practice. Said real estate located at 438 East Main Rd. and further identified as Lot 13 on Tax Assessor's Plat 113.**

**Petition Of: Jose L. Gomes- 742 Jepson Ln., Middletown, RI (owner), by his attorney David P. Martland Esq.- for a Variance- from Section 603- to allow the subdivision of Lot 84 into 2 lots, one of which has frontage of 50' where 130' is required. Said real estate located at 742 Jepson Ln. and further identified as Lot 84 on Tax Assessor's Plat 117.**

**Petition Of: Dodie Kazanjian- 289 Indian Ave., Middletown, RI (owner)- Tanya Kelley (applicant)- for a Variance- from Sections 603, 701, & 803G- to construct a 9.9' x 43.11' pool with a right side yard setback of 23' where 30' is required. Said real estate located at 289 Indian Ave. and further identified as Lot 50A on Tax Assessor's Plat 130.**

**MIDDLETOWN ZONING BOARD OF APPEALS CON'T FEBRUARY 27, 2007**

**TOWN HALL-7:00 P.M.**

**Appeal Of: Karmik, LLC (owner) by their attorney Robert M. Silva, Esq.- 1100 Aquidneck Ave.- Middletown, RI- for an Appeal- from Section 313- to allow the Zoning Board of Review to overturn the decision of the Middletown Planning Board rendered on November 8, 2006 and set forth in writing on November 9, 2006, denying a proposed plan for a six (6) lot major subdivision. Said real estate located at 265 Prospect Ave. and further identified as Lot 46 on Tax Assessor's Plat 120.**

**Appeal Of: Jose L. Gomes-742 Jepson Ln. (owner) by his attorney David P. Martland Esq.- 1100 Aquidneck Ave.- Middletown, RI- for an Appeal- from Section 313- to allow the Zoning Board of Review to overturn the decision of the Planning Board dated October 17, 2006 denying the request for 2-lot subdivision. Said real estate located at 742 Jepson Ln. and further identified as Lot 84 on Tax Assessor's Plat 117.**

**NOTICE**

**MIDDLETOWN ZONING BOARD OF REVIEW PETITIONS CON'T  
FEBRUARY 27, 2007**

**TOWN HALL-7:00 P.M.**

**Petition Of: Dennis R. Pond- 24 Prospect Farm Rd.- Portsmouth, RI (owner)- Sherryl S. & Dennis R. Pond (applicants)- for a Variance from Sections 1204 F (1) & 1205 D (5)- to allow a free-standing sign to be 7'6" tall where 4' is allowed and said sign to have a light background with dark colored lettering. Said real estate located at 299 West Main Rd. and further identified as Lot 350 on Tax Assessor's Plat 108.**

**Petition Of: Beachfront, LLC (owner) by their attorney Patrick O'N. Hayes Jr. Esq.- 31 America's Cup Ave.- Newport, RI- for a Variance- from Section 603, 701, 704(B), 704(C) and 1406- to allow a west side yard setback of 10' where 20' is required, a rear yard setback of 11' where 50' required, a 12' variance for an elevator penthouse and cupola as shown on the plans, relief from a prior zoning decision requiring 125 parking spaces as previously approved and no side or rear yard buffer zones per section 1406 as previously shown and subject to all previously imposed conditions set forth on Exhibit A. Said real estate located at Wave Ave. and further identified as Lot 11 & 12 on Tax Assessor's Plat 116NW.**

**Petition Of: Beachfront, LLC (owner) by their attorney Patrick O’N. Hayes, Jr. Esq.- 31 America’s Cup Avenue- Newport, RI- for a Special Use Permit-from Section 602, 803, & Chapter 1400- to allow a modification of a previously granted special use permit to combine 8 of the 50 hotel units in the existing hotel building with other units leaving 42 units and to construct 26 units in the previously approved building on Lot 11; subject to all previously imposed conditions which are set forth on Exhibit A. Said real estate located at Wave Ave and further identified as Lot 11 & 12 on Tax Assessor’s Plat 116NW.**

**Petition Of: Paradise Realty, LLC-6 Middle Ln.-Jamestown, RI-for a Special Use Permit-from Section 1106-to construct a single family dwelling in Zone 1 of the Watershed Protection District. Said real estate located at 80 Paradise Ave. and further identified as Lot 77 on Tax Assessor’s Plat 120.**

**Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 602, 702, 804, 1504, 1505 and all applicable provisions of the ordinance-to allow the demolition of an existing 36 unit hotel/multi-family dwelling use and the construction of a 36 unit multi-family dwelling project. (all 2 bedrooms units) (14 allowed) to be located in two buildings (1 allowed) in an R-30 zoning district, resulting in greater density and less open space than is required. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor’s Plat 118.**

**Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Special Use Permit-from Sections 802, 803 (A), 1500 et seq.-to permit the alteration, extension and enlargement of an existing non-conforming use; namely, a 36 unit hotel multi-family dwelling project by the demolition of the existing structures and the construction of a 36 unit multi-family project. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor's Plat 118.**

**Petition Of: Newport Residential Corp. (owner) by their attorney Robert M. Silva Esq.- 1100 Aquidneck Ave.- Middletown, RI- for a Variance-from Sections 603, 701 & 803(g)- to allow a resubdivision of Lots 128 & 129, resulting in a sideyard setback of 4.2' where 15' is required, frontage of 50.37' where 100' is required, lot size of 4,990 s.f. where 10,000 is required in connection with proposed Lot 128 on Plat 116NE; and to allow sideyard setback of 5.2' where 15' is required, front yard setback of 21.9' where 25' is required, frontage of 50.31' where 100' is required & lot size of 4,990 s.f. where 10,000 is required in connection with proposed Lot 129 on Plat 116NE. Said real estate located at 50 & 52 Tuckerman Ave. and further identified as Lot 128 & 129 on Tax Assessor's Plat 116NE.**

**Petition Of: Kevin Buck-19 William Dr.- Middletown RI (owner) Trent Development Group LLC (applicant) for a Variance- from Section 1205D (5)- to install a freestanding sign with light background & dark lettering. Said real estate located at 70 Valley Rd. and further identified as Lot 121 on Tax Assessor's Plat 113.**

**Lucy R. Levada**

**Secretary**

**THIS ASSEMBLY IS OPEN TO THE PUBLIC  
TO BE ADVERTISED ON  
February 13, 2007**

**“ This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009, not less than 48 hours before the meeting.”**